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7 Attorney for GAVIN H. ROBERTS

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 GAVIN H. ROBERTS

15 Defendant.
16

Case No. 3:25-cr-00012-ART-CSD

**STIPULATION TO CONTINUE
MOTION DEADLINES AND TRIAL
DATES**
(First Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Federal Public
18 Defender Rene L. Valladares, Assistant Federal Public Defender SEAN A. MCCLELLAND,
19 counsel for GAVIN H. ROBERTS, United States Attorney Sigal Chattah, Assistant United
20 States Attorney MEGAN RACHOW and Assistant United States Attorney ANDOLYN
21 JOHNSON, counsel for the United States of America, that the video calendar call currently
22 scheduled for May 13, 2025, at 11:00 a.m., be vacated and continued to **September 16, 2025,**
23 **at 11:00 a.m.,** and the trial scheduled for June 3, 2025, at 9:00 a.m., be vacated and continued
24 to **October 7, 2025, at 9:00 a.m.**

25 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to
26 and including **August 1, 2025,** to file any and all pretrial motions and notices of defense.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
2 shall have to and including **August 15, 2025**, to file any and all responsive pleadings.

3 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
4 shall have to and including **August 22, 2025**, to file any and all replies to dispositive motions.

5 The Stipulation to continue is entered into for the following reasons:

6 1. First, the failure to grant this continuance would deny counsel for the defendant
7 the reasonable time necessary for effective preparation, taking into account the exercise of due
8 diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

9 2. The defendant is currently detained and consents to the continuance.

10 3. Counsel for the defendant will need additional time to conduct investigation in
11 this case in order to determine whether there are any pretrial issues that must be litigated and
12 whether the case will ultimately go to trial or resolved through negotiations.

13 4. The additional time requested herein is not sought for purposes of delay, but
14 merely to allow counsel for the defendant sufficient time to complete necessary research,
15 prepare and submit appropriate pretrial motions.

16 5. The proposed date would allow counsel to represent other clients zealously and
17 still allow for meaningful investigation and litigation of this case, including the filing of pretrial
18 and trial motions.

19 6. Denial of this request for continuance would deny counsel for the defendant
20 sufficient time to effectively and thoroughly prepare and submit pretrial motions and notices of
21 defense, taking into account the exercise of due diligence.

22 7. Additionally, denial of this request for continuance could result in a miscarriage
23 of justice. The additional time requested by this stipulation is excludable in computing the time
24 within which the trial herein must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),
25 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and
26 3161(h)(B)(iv).

1 This is the first stipulation to continue filed herein.

2 DATED this 5th day of May, 2025.

3
4 RENE L. VALLADARES
Federal Public Defender

SIGAL CHATTAH
United States Attorney

5 By: /s/Sean A. McClelland

By: /s/Megan Rachow

6 SEAN A. MCCLELLAND
7 Assistant Federal Public Defender
Counsel for GAVIN H. ROBERTS

MEGAN RACHOW
Assistant United States Attorney
Counsel for United States

8
9 By: /s/Andolyn Johnson

10 ANDOLYN JOHNSON
Assistant United States Attorney
11 Counsel for United States
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GAVIN H. ROBERTS,

Defendant.

Case No. 3:25-cr-00012-ART-CSD

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The continuance is necessary for the following reasons. First, the failure to grant this continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The defendant is currently detained and consents to the continuance.

3. Counsel for the defendant will need additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or resolved through negotiations.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the defendant sufficient time to complete necessary research, prepare and submit appropriate pretrial motions.

5. The proposed date would allow counsel to represent other clients zealously and still allow for meaningful investigation and litigation of this case, including the filing of pretrial and trial motions.

6. Denial of this request for continuance would deny counsel for the defendant

1 sufficient time to effectively and thoroughly prepare and submit pretrial motions and notices of
2 defense, taking into account the exercise of due diligence.

3 7. Additionally, denial of this request for continuance could result in a miscarriage
4 of justice. The additional time requested by this stipulation is excludable in computing the time
5 within which the trial herein must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),
6 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and
7 3161(h)(B)(iv).

8 This is the first stipulation to continue filed herein.

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10 **CONCLUSIONS OF LAW**

11 The ends of justice served by granting said continuance outweigh the best interest of the
12 public and the defendant in a speedy trial, since the failure to grant said continuance would be
13 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
14 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
15 account the exercise of due diligence.

16 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
17 United States Code, Section 3161 (h)(7)(A), when the considering the factors under Title 18,
18 United States Code, Section 3161(h)(7)(B)(i) and (iv).
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ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including **August 1, 2025** to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including **August 15, 2025** to file any all responses.

IT IS FURTHER ORDERED that the parties shall have to and including **August 22, 2025** to file any and all replies.

IT IS FURTHER ORDERED that the video calendar call currently scheduled for May 13, 2025, at 11:00 a.m., be vacated and continued to **September 16, 2025, at 11:00 a.m.**; and the trial currently scheduled for June 3, 2025, at 9:00 a.m., be vacated and continued to **October 7, 2025, at 9:00 a.m.**

IT IS SO ORDERED this _____ of May, 2025.

ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE